

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

LIDIA TURNER,

Plaintiff,

v.

Case No. 24-C-1096

GLEN'S 24HR TOWING,

Defendant.

ORDER DENYING MOTION TO REOPEN CASE

Plaintiff Lidia Turner brought this action against Glen's 24hr Towing seeking the return of her commercial trucking equipment, or, in the alternative, money damages. The court previously dismissed the action upon determining that it did not have subject-matter jurisdiction under 28 U.S.C. § 1332. Dkt. No. 4. The court, however, gave Turner 30 days to file an amended complaint to cure the jurisdictional defects identified by the court. Turner did not file an amended complaint within the allotted time and judgment was subsequently entered. This matter now comes before the court on Turner's motion to reopen the case. Dkt. No. 8. For the following reasons, the motion will be denied.

As the court noted in its order dismissing Turner's complaint, she purported to invoke diversity jurisdiction but failed to properly allege that she and Defendant were citizens of different states. In her motion to reopen the case, Turner alleges the "owners" of Defendant are from North Carolina, Florida, Texas, Bulgaria, Ukraine, and Lithuania. *See* Dkt. No. 8 at 1. But the citizenship of a corporation like Defendant is not determined by the citizenship of its owners. 28 U.S.C. § 1332(c)(1). Instead, "a corporation shall be deemed to be a citizen of every State and foreign

state by which it has been incorporated and of the State or foreign state where it has its principal place of business.” *Id.*

Beyond alleging that Defendant is a “nationwide company” in a proposed amended complaint attached to her motion, *see* Dkt. No. 8-1 at 1–2, Turner does not provide any new information to overcome her prior allegations that Defendant is a citizen of Wisconsin that maintains its principal place of business in Green Bay. *See also* Corporate Records: Glenn’s 24 HR. Towing, Inc., State of Wis. Dep’t of Fin. Inst., <https://apps.dfi.wi.gov/apps/corpsearch> (last visited Nov. 20, 2024).

As such, this court still lacks subject-matter jurisdiction. Turner’s motion to reopen is therefore **DENIED**.

As a final note, the court reminds Turner that she may choose to proceed in state court.

Dated at Green Bay, Wisconsin this 21st day of November, 2024.

s/ William C. Griesbach

William C. Griesbach
United States District Judge